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CENTRAL FAX CENTER

SEP 11 2006

Docket No. F-8023

Ser. No. 10/700,850

REMARKS

Claims 1-12 remain pending in this application. Claims 1-4 and 7-10 are rejected. Claims 5 and 6 are objected to. Claims 1, 2, and 5-10 are amended herein. New claims 11 and 12 are added. The specification is amended. No new matter is added.

CLAIM REJECTIONS UNDER § 112, SECOND PARAGRAPH

Claims 2-6 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention because it is alleged that the term "play" is unclear on the claim. Claim 2 is amended to clarify that "play" refers to a "clearance" between the outer container and the bridging member. The specification describes this play at the paragraph bridging pages 24-25. Therefore, reconsideration of the rejection of claims 2-6 and their allowance are earnestly requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-3 and 8-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by the JP 7-27430 ('430) reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art

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reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

The Office Action cites Fig. 4 of the '430 reference as anticipating the present invention. However, in Fig. 4, the bridging member 16 is supported by a vibration absorbing member 18 and thus does not extend beyond the outer container. In contrast, claim 1 recites:

the bridging member extending from the inner container, through the outer container aperture and beyond the wall portion defining the outer container aperture with radial support thereto being provided by the outer container.]

Independent claims 8-10 recite similar subject matter.

Claim 1 further recites that the cover member seals the vacuum space of a the container. Thus, the bridging member can extend through the aperture of the outer container and a vacuum space can be secured regardless of the connection between the bridging member and the outer container by means of the cover forming the vacuum seal. The extension of the bridging member through the outer container provides a support structure of greater rigidity in a plane of the surface

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of the outer container. This is discussed in the specification with regard to an example of an embodiment as follows:

The bottom member 20 having the above-described structure has increased plane rigidity, and therefore is capable of firmly supporting the inner container 1 in a radial direction by the supporting member 14 through the bridging member 11. In this embodiment, in particular, the outer container 2 supports the bridging member 11 around its axis by the supporting member 16 provided inside the cover member 12. The bridging member 11 has a play S formed by a hole 2y about its axis, with the outer container 2.

Specification, pages 24-25. In the above exemplary embodiment the bottom member 20 is but one example of a wall portion of the outer container.

It will further be noted with respect to claim 1-9 and in relation to the clearance defined in claim 2, that the sealing of the cover allows for passage of the bridging member through the outer container. This claimed sealing cover can also allow evacuation of the vacuum space. The specification recites:

... [A]s an example, the cover member 12 is in a circular cap form having an annular attachment seat 12a serving as an outwardly oriented flange on its opening, as in the examples shown in FIGS. 1 to 4, FIGS. 5 and 6, FIGS. 7 and 8, FIGS. 9 to 12, and FIGS. 13 to 15. The attachment seat 12a is placed on the outer circumference of the central horizontal portion 2v inside the step 2x provided for the bottom member 20 of the outer container 2. Through the attachment seat 12a, the space between the inner container 1 and the outer container 2 and the space inside the cover member 12 are sealed in a vacuum state. Such vacuum pumping and sealing are achieved, for example, in the following manner. The attachment seat 12a of the cover member 12 is placed through a sealing material such as a brazing metal or a glass seal so as to leave a vacuum-pumping path with the central horizontal portion 2v

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being upwardly oriented. In this state, the spaces are pumped to a vacuum in a vacuum-pump furnace. A vacuum area in the vacuum-pump furnace extends to the space inside the cover member 12 and the space between the inner container 1 and the outer container 2 through the vacuum-pumping path between the attachment seat 12a and the central horizontal portion 2v, inside the cover member 12, between the supporting member 16 and the bridging member 12, and the hole 2y. With the aid of a heating environment, the whole area of the inner space from the inside of the cover member 12 to the space between the inner container 1 and the outer container 2 reaches a predetermined degree of vacuum. Simultaneously, the sealing material is molten at the boundary between the central horizontal portion 2v and the cover member 12 by heating with the atmosphere so as to extend between the central horizontal portion 2v and the cover member 12 owing to its own wetting property. Thereafter, the sealing material is cooled to be solidified, thereby forming a sealing portion 51 for sealing the vacuum spaces 3 and 13 at the boundary. A sealing structure is not limited thereto; various structures may be employed by using various sealing materials.

Specification, pages 33-35. This construction allows the container to be formed without a separate exhaust port.

In view of the above, it is respectfully submitted that claims 1-3 and 8-10 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1-3 and 8-10 and their allowance are respectfully requested.

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CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 4 is rejected as obvious over the '430 reference in view of the Skinner under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary Skinner reference does not provide the teaching noted above with respect to the anticipation rejection. Therefore, reconsideration of the rejections of claim 4 and its allowance are respectfully requested.

REQUEST FOR EXTENSION OF TIME

Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$450.00 for the extension of time in accordance with the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO

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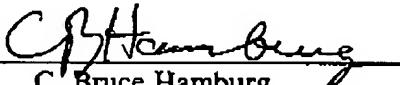
is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By

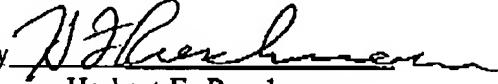

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